

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TERRY RAY HAWES,
Plaintiff,

v.

EVA BENNET, et al.,
Defendants.

Case No. [17-cv-05839-WHO](#) (PR)

ORDER OF DISMISSAL


Plaintiff Terry Hawes has not complied with the Court's order to (1) file a complete application to proceed *in forma pauperis* ("IFP"), or (2) pay the filing fee of \$400.00, even though he was given an extension of time after his application was initially rejected. Dkt. No. 7. The IFP application does not contain a Certificate of Funds signed by an authorized prison officer. The one submitted is blank. Accordingly, this federal civil rights action is DISMISSED without prejudice for failing to respond to the Court's order, and for failure to prosecute, *see* Fed. R. Civ. P. 41(b).

Because this dismissal is without prejudice, Hawes may move to reopen the action. Any such motion **must** contain a properly completed Certificate of Funds.

The Clerk shall enter judgment in favor of defendants, and close the file.

IT IS SO ORDERED.

Dated: January 19, 2018


WILLIAM H. ORRICK
United States District Judge